

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PETER MORRONE,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

CASE NO. 3:21-cv-05353-JRC

ORDER ON UNOPPOSED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES

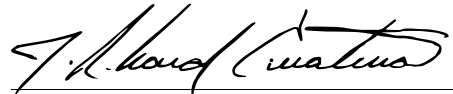
This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and Local Magistrate Judge Rule MJR 13. *See* Consent to Proceed Before a United States Magistrate Judge, Dkt. 2. This matter is before the Court on plaintiff's motion for attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412 ("EAJA"). *See* Dkt. 20. Defendant does not oppose the motion. Dkt. 24.

Based on the EAJA, that defendant has no opposition, the attorney declaration and time and expense itemizations (Dkt. 22), and the relevant record, it is hereby ORDERED that EAJA

1 attorney's fees of \$3,024.99 shall be awarded to plaintiff pursuant to the EAJA and consistent
2 with *Astrue v. Ratliff*, 560 U.S. 586, 588–89 (2010).

3 The Commissioner shall contact the Department of Treasury after the Order for EAJA
4 fees is entered to determine if the EAJA fees are subject to any offset. If it is determined that
5 plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the
6 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Victoria B.
7 Chhagan, based on plaintiff's assignment of these amounts to plaintiff's attorney. *See* Dkt. 21. If
8 there is an offset, the remainder shall be made payable to plaintiff, based on the practice of the
9 Department of the Treasury. *See, e.g.*, Case No. 2:15-cv-122, Dkt. 22, at 4. Any check for EAJA
10 fees shall be mailed to plaintiff's counsel, Victoria B. Chhagan, at Douglas Drachler McKee &
11 Gilbrough, 1904 Third Avenue, Seattle WA 98101.

12 Dated this 11th day of February, 2022.

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16 J. Richard Creatura
17 Chief United States Magistrate Judge
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